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FILED  
DEBBIE HARMON, CLERK  
SEP 26 2011

DEPUTY

11 **MONTANA TWENTY-FIRST JUDICIAL DISTRICT COURT,**  
12 **RAVALLI COUNTY**

13 STATE OF MONTANA,

14 Plaintiff,

15 vs.

16 JAMES "JEB" BRYANT,

17 Defendant.

) Cause No. DC 11- 116

) Dept. 1

) **INFORMATION**

18 Comes now Jesse Laslovich and Brett O'Neil, Special Deputy Ravalli County  
19 Attorneys, as attorneys for the state of Montana, having first obtained leave of Court as  
20 required by law, and accuse the Defendant, JAMES "JEB" BRYANT, of having committed  
21 the following offenses:

22 **COUNT I**

23 That on or about March 2008 in Ravalli County, Montana, the Defendant committed  
24 the offense of THEFT, a FELONY, in violation of Mont. Code Ann. 45-6-301(2)(c).

25 The facts constituting this offense are as follows:

26 That at the time and place mentioned above, with the purpose to deprive G.S. of  
property, the Defendant purposely or knowingly obtained or exerted by threat or deception

1 control of G.S.'s property, and used, concealed, or abandoned the property knowing that the  
2 use, concealment, or abandonment probably would deprive G.S. of his property.

3 Specifically, Defendant deceived G.S. into investing \$150,000 in Duratherm Building  
4 Systems (DBS). The \$150,000 was deposited into an account solely owned by Defendant  
5 (Monarch Beach Properties, LLC). The money was transferred from the Monarch Beach  
6 account to the Defendant, to credit cards in the Defendant's name, and to other payees. The  
7 money has not been returned to G.S. and despite the Defendant's representations otherwise,  
8 G.S. has received no ownership stake in DBS.

9  
10 Pursuant to Mont. Code Ann. § 45-6-301(8)(b)(i), the offense is punishable by a fine  
11 not to exceed \$50,000 and/or imprisonment in a state prison for a term not to exceed 10 years.

## 12 **COUNT II**

13 That on or about March 2008 in Ravalli County, Montana, the Defendant committed  
14 the offense of FAILURE TO REGISTER AS A SALESPERSON, a FELONY, in violation of  
15 Mont. Code Ann. § 30-10-201(1).

16 The facts constituting this offense are as follows:

17 That at the time and place mentioned above, the Defendant acted as a salesperson of a  
18 security without being registered with the state of Montana.

19 Specifically, the Defendant represented an issuer in effecting or attempting to effect  
20 sales of securities by deceiving G.S. into investing his money with DBS.

21 Pursuant to Mont. Code Ann. § 30-10-306(1), the offense is punishable by a fine not to  
22 exceed \$5,000 and/or imprisonment in the state prison for a term not to exceed 10 years.

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**COUNT III**

That on or about March 2008 in Ravalli County, Montana, the Defendant committed the offense of FAILURE TO REGISTER A SECURITY, a FELONY, in violation of Mont. Code Ann. § 30-10-202(1).

The facts constituting this offense are as follows:

That at the time and place mentioned above, the Defendant offered an unregistered security to G.S.

Specifically, the Defendant offered G.S. an investment opportunity in DBS, a security that was not registered with the state of Montana.

Pursuant to Mont. Code Ann. § 30-10-306(1), the offense is punishable by a fine not to exceed \$5,000 and/or imprisonment in the state prison for a term not to exceed 10 years.

**COUNT IV**

That on or about March 2008 in Ravalli County, Montana, the Defendant committed the offense of FRAUDULENT PRACTICES, a FELONY, in violation of Mont. Code Ann. § 30-10-301(1)(b).

The facts constituting this offense are as follows:

That at the time and place mentioned above, the Defendant, while offering the sale of a security, directly and/or indirectly made untrue statements of a material fact and/or omitted a material fact, which, in light of the circumstances under which they were made, were misleading.

Specifically, the Defendant misled G.S. by making untrue statements or omitting material facts when he failed to provide G.S. with complete disclosure information or a prospectus regarding G.S.'s investments in DBS.



1 Pursuant to Mont. Code Ann. § 30-10-306(1), the offense is punishable by a fine not to  
2 exceed \$5,000 and/or imprisonment in the state prison for a term not to exceed 10 years.

3 **COUNT V**

4 That on or about March 2008 in Ravalli County, Montana, the Defendant committed  
5 the offense of CONSPIRACY TO COMMIT THEFT, a FELONY, in violation of Mont. Code  
6 Ann. §§ 45-6-301(2)(c) and 45-4-102(1).

7 The facts constituting this offense are as follows:

8 That at the time and place mentioned above, the Defendant agreed with another to  
9 purposely commit the offense of theft, and acted in furtherance thereof by purposely or  
10 knowingly obtaining by threat or deception control over property of the owner and using,  
11 concealing, or abandoning the property knowing that the use, concealment, or abandonment  
12 probably would deprive the owner of the property.  
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14 Specifically, the Defendant agreed with Pastor Himes to purposely commit the offense  
15 of theft, and acted in furtherance thereof by deceiving G.S. into investing in DBS by placing  
16 his investment into Defendant's Monarch Beach Properties, LLC bank account. G.S.'s money  
17 has not been returned to G.S.

18 Pursuant to Mont. Code Ann. § 45-4-102(3), the offense of conspiracy is punishable by  
19 a maximum sentence provided for the offense that is the object of the conspiracy. Pursuant to  
20 Mont. Code Ann. § 45-6-301(8)(b)(i), the offense of theft is punishable by a fine not to  
21 exceed \$50,000 and/or imprisonment in the state prison for a term not to exceed 10 years.

22 **COUNT VI**

23 That on or about March 2008 in Ravalli County, Montana, the Defendant committed  
24 the offense of CONSPIRACY TO COMMIT FRAUDULENT PRACTICES, a FELONY, in  
25 violation of Mont. Code Ann. §§ 30-10-301(1)(b) and 45-4-102(1).  
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1 The facts constituting the offense are as follows:

2 That at the time and place mentioned above, the Defendant, while offering the sale of a  
3 security, agreed with another to purposely commit securities fraud and acted in furtherance of  
4 the agreement by directly and/or indirectly making untrue statements of a material fact and/or  
5 omitting to state a material fact, which, in light of the circumstances under which statements or  
6 omissions were made, were misleading.

7 Specifically, the Defendant agreed with Pastor Himes to purposely commit fraudulent  
8 practices and acted in furtherance thereof by making untrue statements or omitting material  
9 facts when he failed to provide G.S. with complete disclosure information or a prospectus  
10 regarding G.S.'s investments in DBS.  
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12 Pursuant to Mont. Code Ann. § 45-4-102(3), the offense of conspiracy is punishable by  
13 a maximum sentence provided for the offense that is the object of the conspiracy. Pursuant to  
14 Mont. Code Ann. § 30-10-306(1), the offense of Fraudulent Practices is punishable by a fine  
15 not to exceed \$5,000 and/or imprisonment in the state prison for a term not to exceed 10  
16 years.

17 DATED this 23<sup>rd</sup> day of September, 2011.

18  
19 By: 

**JESSE LASLOVICH**

**BRETT O'NEIL**

Special Deputy Ravalli County Attorneys